Application No.: 10/617,607

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

    Peng T. Ong

Application No.: 10/617,607

Filed: July 11, 2003

For: SYSTEM AND METHOD FOR
     CONSOLIDATION OF USER
     DIRECTORIES

Confirmation No.: 2901

Art Unit: 2136

Examiner: Carlton V. Johnson

## APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As required under 37 C.F.R. § 41.37(a), this brief is in furtherance of the Notice of Appeal in this application filed on October 3, 2007. The fees required under 37 C.F.R. § 41.20(b)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37. The complete Table of Contents follows.

## CONTENTS

I.       <u>REAL PARTY IN INTEREST</u>

The real party in interest is Encentuate P.T.E. L.T.D. of Singapore, Singapore.

## II.    RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

Appellant is not aware of other appeals, interferences, or judicial proceedings which would have a bearing on the Board's decision in this appeal.

III.    STATUS OF CLAIMS

The application was initially filed with 15 claims. Claims 16-20 were added in the amendment and response to the Office Action filed on December 21, 2006.

Claims 1-20 are pending in this application. Claims 1, 5, 7, 8, 11, 15, 18, and 19 stand rejected under 35 U.S.C. § 101 for double patenting. Claims 1, 3, 6, 11, 13, 15-17 stand rejected under 35 U.S.C. § 102(e), and claims 2, 4, 5, 7-10, 12, 14, and 18-20 stand rejected under 35 U.S.C. § 103(a).

Claims 1-20 are the subject of the present appeal. The text of these claims is set forth below in the Claims Appendix.

## IV.    STATUS OF AMENDMENTS

No amendments have been filed subsequent to a Final Office Action dated April 6, 2007.

## V.    SUMMARY OF CLAIMED SUBJECT MATTER
### A.    Overview of the Invention and Prior Art
#### 1.    The Invention

Applicant's invention relates to a method and apparatus for providing to a system administrator a view of the plurality of applications accessible by a user. The applications are identified by examining an authentication credential container of the user.

In specific embodiments, the present invention identifies the totality of applications accessible by the user by examining authentication credential container of the user [Specification, 19:16-19], generates a view of the totality of applications accessible by the user [Specification, 19:18-21] and displays the view to the administrator [Specification, 19:20-21].

In one embodiment, the present invention discloses an apparatus comprising an identifier module to identify the totality of applications accessible by the user by examining authentication credential container of the user [Specification, 19:16-19], a view generator to generate a view of the totality of applications accessible by the user [Specification, 19:18-21], and a view displayer to display the view of the totality of applications accessible by the user to the administrator [Specification, 19:20 – 20:1]

### B.    Independent Claims on Appeal

The rejected independent claims are directed to various methods and apparatus for providing a system administrator with a view of a totality of applications accessible by a user. The independent claims are described as follows:

#### 1.    Claim 1

Claim 1 is directed toward a method. The method identifies the totality of applications accessible by the user by examining authentication credential container of the user. [Specification, 19:16-19] The method further generates a view of the totality of

applications accessible by the user and displays the view to the administrator. [Specification, 19:18:21]

### 2.    Claim 11

Claim 11 is directed toward an apparatus. The apparatus includes an identifier module to identify the totality of applications accessible by the user by examining authentication credential container of the user. [Specification, 19:16-19] The apparatus further includes a view generator to generate a view of the totality of applications accessible by the user and a view displayer to display the view of the totality of applications accessible by the user to the administrator. [Specification, 19:18:21]

### 3.    Claim 15

Claim 15 is directed toward an apparatus. The apparatus includes means for identifying the totality of applications accessible by the user by examining authentication credential container of the user. [Specification, 19:16-19] The apparatus further includes means for generating a view of the totality of applications accessible by the user and means for displaying the view of the totality of applications accessible by the user to the administrator. [Specification, 19:18:21]

### 4.    Claim 16

Claim 16 is directed toward a method. The method identifies the totality of applications accessible by the user by examining an authentication credential container of the user. [Specification, 19:16-19] The method further generates a list of the totality of applications accessible by the user and displays the list to the administrator. [Specification, 19:18:23]

### 5.    Claim 17

Claim 17 is directed toward a method. The method identifies the totality of applications accessible by the user and any user names and passwords used in connection with the totality of applications by examining an authentication credential container of the user. [Specification, 19:6-19] The method further generates a list of the totality of applications accessible by the user together with any user names and passwords

used in connection with the totality of applications and displays the list to the administrator. [Specification, 19:6-21]

### 6.    Claim 18

Claim 18 is directed toward a method.   The method identifies the totality of applications accessible by the user by examining authentication credential container of the user.  [Specification, 19:16-19]  The method further generates a directory of the totality of applications accessible by the user and displays the directory to the administrator. [Specification, 19:18:23]

The directory comprises a name of the user, a list of keys employed by the user also detailing the type and serial number of each key, a profile of the user detailing a role of the user, a name of the user, an email address of the user, a department of the user, an employee ID of the user, and any additional attributes of the user that have been specified, a means of updating and resetting the profile, a list of all certificate-enabled applications accessible by the user also specifying a user name of the user and a last login attempt of the user, a means of deleting the user name of the user, a list of all enterprise applications accessible by the user also specifying a user name of the user and a last login attempt of the user; and a list of all personal application accessible by the user also specifying a number of accounts connected to each personal application.  [FIG. 7 and 19:21 – 20:1]

### C.    Claims on Appeal Which Include Means-Plus-Function Language
### 1.    Claim 15

Claim 15 is directed toward an apparatus.   The apparatus includes means for identifying the totality of applications accessible by the user by examining authentication credential container of the user [Specification, 19:16-19].   The apparatus further includes means for generating a view of the totality of applications accessible by the user and means for displaying the view of the totality of applications accessible by the user to the administrator.  [Specification, 19:18:21]

### 2.    Claim 18

Claim 18 is directed toward a method. The method identifies the totality of applications accessible by the user by examining authentication credential container of the user. [Specification, 19:16-19] The method further generates a directory of the totality of applications accessible by the user and displays the directory to the administrator. [Specification, 19:18:23]

The directory comprises a name of the user, a list of keys employed by the user also detailing the type and serial number of each key, a profile of the user detailing a role of the user, a name of the user, an email address of the user, a department of the user, an employee ID of the user, and any additional attributes of the user that have been specified, a means of updating and resetting the profile, a list of all certificate-enabled applications accessible by the user also specifying a user name of the user and a last login attempt of the user, a means of deleting the user name of the user, a list of all enterprise applications accessible by the user also specifying a user name of the user and a last login attempt of the user; and a list of all personal application accessible by the user also specifying a number of accounts connected to each personal application. [FIG. 7 and 19:21 – 20:1]

### 3.    Claim 20

Claim 20 is dependent upon claim 18. The consolidated directory includes means for a system administrator to add one or more applications to the lists of the certificate-enabled applications, the enterprise applications, or the personal applications of the user. [FIG. 7 and 20:14:19] The consolidated directory further includes means for a system administrator to delete one or more applications from the lists of the certificate-enabled applications, the enterprise applications, or the personal applications. [FIG. 7 and 20:7-13]

## VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

### A.    The Issues on Appeal

The issues on appeal and the specific pending claims to which each relates are:

1. Whether under 35 U.S.C. § 101 claims 1, 5, 7, 8, 11, 15, 18, and 19 claim the same invention as that of claims 32, 33, 36, and 37 of U.S. Patent Application No. 10/383419 and are thus subject to a double patenting rejection.

2. Whether under 35 U.S.C. § 102(e) claims 1, 3, 6, 11, 13, 15, 16, and 17 are anticipated by U.S. Patent Application Publication No. 2003/0163513 ("Schaeck").

3. Whether under 35 U.S.C. §103(a) claims 2, 4, 5, 7-10, 12, 14, and 18-20 are obvious over Schaeck in view of U.S. Patent Application Publication No. 2002/0138763 ("Delany").

## VII.    ARGUMENTS

### A.    Double Patenting

Double patenting is defined in M.P.E.P. § 804. As stated in M.P.E.P. § 804, Section II (Requirements of a Double Patenting Rejection (including Provisional Rejections)) in the context of a statutory double patenting rejection, "same invention" means an invention drawn to identical subject matter, citing Miller v. Eagle Mfg. Co. 151 U.S. 186 (1894); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA, 1970); and In re Ockert, 245 F.2d 467, 114 USPQ 330 (CCPA, 1957). Section II.A further states that the test for determining whether statutory basis for a double patenting rejection exists is whether "the same invention is being claimed twice." A reliable test is whether a claim in the application could be literally infringed without literally infringing a corresponding claim in the patent, and vice versa. "Is there an embodiment of the invention that falls within the scope of one claim, but not the other? If there is such an embodiment, then identical subject matter is not defined by both claims and statutory double patenting would not exist."

Under this test, claims 1, 5, 7, 8, 11, 15, 18, and 19 of the Appellant's invention do not claim the same invention as that of claims 32, 33, 36, and 37 of U.S. Patent Application No. 10/383419. The Examiner has not shown that the same invention is being claimed twice. Therefore, the rejection of the claims should be reversed.

1.    The Rejection of Claims 1, 5, 7, 8, 11, 15, 18, and 19 as claiming the same invention as that of claims 32, 33, 36, and 37 of U.S. Patent Application No. 10/383419 is Improper.

Claims 32 and 33 of U.S. Patent Application No. 10/383419 are dependent claims. They are dependent on independent claim 29 which recites the limitations "collecting authentication credentials for a plurality of applications accessed by a user" and "playing back the authentication credentials for the plurality of applications upon subsequent user accesses." Moreover, claim 32 contains the limitation "the credential container is a

hardware token, and claim 33 contains the limitation "the credential container is a database."

Claim 36 is an independent claim, and claim 37 depends upon claim 36. Independent claim 36 recites the limitations "storing authentication credentials for a plurality of applications accessed by a user" and "removing access privileges to at least one application of the plurality of applications." Claim 37 recites the limitation "authentication credentials are stored on a server."

        a.      Claims 1, 5, 7, and 8

Claim 1 includes the language:
identifying the totality of applications accessible by the user by examining authentication credential container of the user; and
generating a view of the totality of applications accessible by the user.

One distinction between independent claim 1 of the present application and claims 32 and 33 of U.S. Patent Application No. 10/383419 is that claim 1 does not contain the limitations that the credential container is a "hardware token" or a "database." Thus, an embodiment of claim 1 of the present application can be constructed to provide a credential container different than provided for by claims 32 and 33.

Distinctions between independent claim 1 of the present application and claims 36 and 37 of U.S. Patent Application No. 10/383419 are that claim 1 does not provide for "storing authentication credentials for a plurality of applications accessed by a user" or "removing access privileges to at least one application of the plurality of applications." Rather, claim 1 identifies the totality of applications accessible of the user by examining authentication credential container of the user and then generating a view of the applications, rather than storing credentials or removing access privileges. Thus, claim 1 of the present application is not the same invention as claimed in claims 36 and 37 of U.S. Patent Application No. 10/383419.

Claims 5, 7, and 8 of the present application are dependent upon the independent claim 1. Claim 5 has the limitation that "the authentication credential container is stored at

a server." While this limitation is recited in claim 37 of U.S. Patent Application No. 10/383419, claim 5 includes the limitations of claim 1 of the present application, and as discussed above, claim 1 is not the same invention as claimed in claims 36 and 37 of U.S. Patent Application No. 10/383419.

Claim 7 has the limitation that "the creating the user account is performed automatically." This limitation is not recited in claims 32, 33, 36, or 37 U.S. Patent Application No. 10/383419.

Claim 8 has the limitation "the creating the user account is performed manually by an administrator." This limitation is not recited in claims 32, 33, 36, or 37 U.S. Patent Application No. 10/383419.  Accordingly, the rejection of claims 1, 5, 7, and 8 of the present application under 35 U.S.C. § 101 for double patenting should be withdrawn.

> b.    Claim 11

Claim 11 includes the language:

an identifier module to identify the totality of applications accessible by the user by examining authentication credential container of the user; and
a view generator to generate a view of the totality of applications accessible by the user.

One distinction between independent claim 11 of the present application and claims 32 and 33 of U.S. Patent Application No. 10/383419 is that claim 11 does not contain the limitations that the credential container is a "hardware token" or a "database." Thus, an embodiment of claim 11 of the present application can be constructed to provide a credential container different than provided for by claims 32 and 33.

Distinctions between independent claim 11 of the present application and claims 36 and 37 of U.S. Patent Application No. 10/383419 are that claim 11 does not provide for "storing authentication credentials for a plurality of applications accessed by a user" or "removing access privileges to at least one application of the plurality of applications." Rather, claim 11 identifies the totality of applications accessible by the user by examining authentication credential container of the user and generating a view of the applications. Thus, claim 11 of the present application is not the same invention as claimed in claims 36

and 37 of U.S. Patent Application No. 10/383419. Accordingly, the rejection of claim 11 of the present application under 35 U.S.C. § 101 for double patenting should be withdrawn.

c.    Claim 15

Claim 15 includes the language:

means for identifying the totality of applications accessible by the user by examining authentication credential container of the user; and
means for generating a view of the totality of applications accessible by the user.

One distinction between independent claim 15 of the present application and claims 32 and 33 of U.S. Patent Application No. 10/383419 is that claim 15 does not contain the limitations that the credential container is a "hardware token" or a "database." Thus, an embodiment of claim 15 of the present application can be constructed to provide a credential container different than provided for by claims 32 and 33.

Distinctions between independent claim 15 of the present application and claims 36 and 37 of U.S. Patent Application No. 10/383419 are that claim 15 does not provide for "storing authentication credentials for a plurality of applications accessed by a user" or "removing access privileges to at least one application of the plurality of applications." Rather, claim 15 includes a means for identifying the totality of applications accessible of the user by examining authentication credential container of the user and means for generating a view thereof. Thus, claim 15 of the present application is not the same invention as claimed in claims 36 and 37 of U.S. Patent Application No. 10/383419. Accordingly, the rejection of claim 15 of the present application under 35 U.S.C. § 101 for double patenting should be withdrawn.

d.    Claim 18

Claim 18 includes the language:

identifying the totality of applications accessible by the user by examining authentication credential container of the user;
generating a directory of the totality of applications accessible by the user; and

One distinction between independent claim 18 of the present application and claims 32 and 33 of U.S. Patent Application No. 10/383419 is that claim 18 does not contain the limitations that the credential container is a "hardware token" or a "database." Thus, an embodiment of claim 18 of the present application can be constructed to provide a credential container different than provided for by claims 32 and 33.

Distinctions between independent claim 18 of the present application and claims 36 and 37 of U.S. Patent Application No. 10/383419 are that claim 18 does not provide for "storing authentication credentials for a plurality of applications accessed by a user" or "removing access privileges to at least one application of the plurality of applications." Rather, claim 18 identifies the totality of applications accessible of the user by examining authentication credential container of the user and generating a directory thereof. Thus, claim 18 of the present application is not the same invention as claimed in claims 36 and 37 of U.S. Patent Application No. 10/383419. Accordingly, the rejection of claim 18 of the present application under 35 U.S.C. § 101 for double patenting should be withdrawn.

e.    Claim 19

Claim 19 is dependent upon the independent claim 18 and also includes the language:

> a specification of a password for each certificate-enabled application, each enterprise application, and each personal application.

One distinction between independent claim 19 of the present application and claims 32 and 33 of U.S. Patent Application No. 10/383419 is that claim 19 does not contain the limitations that the credential container is a "hardware token" or a "database." Thus, an embodiment of claim 19 of the present application can be constructed to provide a credential container different than provided for by claims 32 and 33.

Distinctions between independent claim 19 of the present application and claims 36 and 37 of U.S. Patent Application No. 10/383419 are that claim 19 does not provide for "storing authentication credentials for a plurality of applications accessed by a user" or

"removing access privileges to at least one application of the plurality of applications." Rather, claim 19 identifies the totality of applications accessible of the user by examining authentication credential container of the user, generating a view thereof, and includes a specification of a password for each certificate-enabled application, each enterprise application, and each personal application in the directory. Thus, claim 19 of the present application is not the same invention as claimed in claims 36 and 37 of U.S. Patent Application No. 10/383419. Accordingly, the rejection of claim 19 of the present application under 35 U.S.C. § 101 for double patenting should be withdrawn.

Because none of claims 1, 5, 7, 8, 11, 15, 18, or 19 of the present application are coextensive in scope with claims 32, 33, 36, and 37 of U.S. Patent Application No. 10/383419, withdrawal of the double patenting rejection is respectfully requested.

### B.    Legal Standards for Anticipation

The Examiner has rejected appealed claims 1, 3, 6, 11, 13, and 15-17 as being anticipated under 35 U.S.C. § 102(e), which provides that:

> A person shall be entitled to a patent unless—

> (e)    the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent.

To anticipate a claim, each claim element must be identical to a corresponding element in the applied reference. Glaverbel Société Anonyme v. Northlake Mktg. & Supply, Inc., 45 F.3d 1550, 1554 (Fed. Cir. 1995). Indeed, the failure to mention "a claimed element (in) a prior art reference is enough to negate anticipation by that reference." Atlas Powder Co. v. E.I. du Pont De Nemours & Co., 750 F.2d 1569, 1574 (Fed. Cir. 1984). To establish a prima facie case of anticipation, the Examiner must identify where "each and every facet of

the claimed invention is disclosed in the applied reference." Ex parte Levy, 17 U.S.P.Q.2d 1461, 1462 (Bd. Pat. App. & Interf. 1990).

Under these standards, Appellant's invention is not anticipated by Schaeck. The Examiner has not identified a prior art reference that identically discloses all the elements of the appealed claims. Moreover, in rejecting some of the claims, the Examiner has not even asserted that Schaeck discloses certain features of those claims and thus has not even established a *prima facie* case of anticipation. Therefore, the rejection of the claims should be reversed.

    1.    <u>The Rejection of Claims 1, 3, 6, 11, 13, 15, 16, and 17 under 35 U.S.C. §102(e) as being Anticipated by Schaeck is Improper</u>

        a.    <u>The Examiner has failed to show how Schaeck anticipates all of the recited features of claims 1, 3, 6, 11, 13, 15, 16, and 17 and has thereby failed to establish a *prima facie* case of anticipation.</u>

            i.    Claims 1 and 11

Claims 1 and 11 include a method for providing a system administrator with a view of a totality of applications accessible by a user comprising identifying the totality of application accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user, and displaying the view to the administrator.

The teaching of Schaeck fails to show at least three of the following presently claimed elements: 1) identifying the totality of application accessible by the user *by examining authentication credential container of the user*, 2) generating a view of the totality of applications accessible by the user, and 3) displaying the view to the administrator.

With respect to the first element, the Examiner apparently identifies the user profiles mentioned by Schaeck with the credential containers taught by the Applicant. In paragraph 22, Schaeck states that user roles are determined using the user's identification

and credentials and user roles are contained in user profiles. In paragraph 66, lines 12-13, Schaeck states user profiles may contain user access rights information. However, Schaeck does not state that user profiles are credential containers or directories of user names, passwords, or other authentication information.

Further, it is the Examiner's position that Schaeck teaches generating a view of the totality of applications accessible by the user. The Examiner is mistaken. The Examiner apparently cites paragraph 43, lines 5-7 in support of the limitation "view list of multiple of plurality of accessible services or applications." However, Schaeck's disclosure is directed toward providing role-specific views for aggregated services, rather than listing or providing a view of the accessible services or applications, as evidenced by the following descriptions in the Schaeck document:

(i) In paragraph 20, Schaeck describes the technique of providing role-based views of aggregated services as comprising obtaining "a user role corresponding to a user of the aggregated service; and using the obtained role to programmatically select a corresponding one of the role-specific portlets for each of the software resources, thereby providing the role-specific view of the aggregated service. The technique preferably further comprises rendering the selected role-specific view for the user."

(ii) In paragraph 21, Schaeck states, "[u]sing the obtained role preferably further comprises: determining which of the one or more software resources should be invoked to position the user's entry point into the aggregated service; and using the obtained role to programmatically select a role-specific view of the determined software resource."

Thus, Schaeck teaches that a role-specific view provides access to one or more software resources. Schaeck fails to teach that a role-specific view provides a list or a view of accessible services or applications.

Yet further, the Examiner apparently cites paragraph 44, lines 1-4 in support of the limitation user actions accessible by the user. Again, the Examiner's interpretation is mistaken. In paragraph 44, Schaeck teaches only that web services have user interaction, such as presenting data to a user and processing events in response to user actions.

Thus, the system administrator may be a user who may access web service applications, but nowhere does Schaeck teach that the administrator has access to a view or list of the applications accessible by *other* users.

Regarding the second element, Schaeck further fails to teach displaying the view of the totality of applications accessible by the user. Foremost, as shown above, Schaeck fails to teach generating a view of the totality of applications accessible by the user and thus cannot be said to teach displaying the view to the administrator.

However, even if Schaeck taught generation of a view of the totality of applications accessible by the user, Schaeck does not teach that the view is displayed to the administrator, as the Examiner believes. Schaeck teaches that a system administrator may be provided a role-specific view based on the programmatically-determined role of the administrator. [Schaeck, para. 68] For example, Schaeck teaches that the role of administrator might be to create a composite shopping service, to add or delete services from the composite service, or add a customer feedback sub-service. [Schaeck, para. 43, lines 13-17] Schaeck also teaches that the administrator may create or modify the work flow definition of an aggregated web service and to describe how selected services will interact [Schaeck, para 45, lines 5-10] Schaeck also teaches that the administrator may define a new service composed of more fine-grained services. [Schaeck, para. 52, lines 4-6] However, Schaeck in no way teaches that the role of the system administrator is to view the totality of applications accessible by the users.

Because the cited Schaeck reference does not teach all of the essential elements of claims 1 and 11 of the present invention, the Examiner has not established a prima facie case of anticipation of claims 1 and 11. The Appellant urges the Board to overturn the rejection of claims 1 and 11 based on this reference.

<center>ii.      Claims 3 and 13</center>

Claim 3 is dependent upon claim 1, and claim 13 is dependent upon claim 11. As discussed above, the cited Schaeck reference does not teach all of the essential elements

of claims 1 and 11. Thus, Schaeck also does not teach all of the essential elements of claims 3 and 13.

Further, claims 3 and 13 each include the limitation "removing access to an application from the totality of the applications by utilizing the view of the totality of the applications accessible by the user." The Examiner claims that Schaeck teaches this element in paragraph 43, lines 9-15. However, Schaeck teaches only that "users 240 who have the role of administrator might be allowed to create a composite shopping service, and to add or delete *services from the composite service.*" The ability for an administrator to remove services from the composite service affects all users of the aggregated service, not just one particular user.

By failing to point to anything in Schaeck as corresponding to removing access to an application of a user, the Examiner has not established a prima facie case of anticipation of these claims. The Appellant urges the Board to overturn the rejection of claims 3 and 13 based on this reference.

### iii.     Claim 6

Claim 6 is dependent upon claim 3 which is dependent upon claim 1. As discussed above, the cited Schaeck reference does not teach all of the essential elements of claims 1 and 3. Thus, Schaeck also does not teach all of the essential elements of claim 16, and the Examiner has not established a prima facie case of anticipation of claim 1. The Appellant urges the Board to overturn the rejection of claim 6 based on this reference.

### iv.     Claim 15

Claim 15 includes a method for providing a system administrator with a view of a totality of applications accessible by a user comprising means for identifying the totality of application accessible by the user by examining authentication credential container of the user, means for generating a view of the totality of applications accessible by the user and means for displaying the view to the administrator.

As discussed above, the teaching of Schaeck fails to show at least three of the following presently claimed elements: 1) means for identifying the totality of applications accessible by the user by examining authentication credential container of the user, 2) means for generating a view of the totality of applications accessible by the user, and 3) means for displaying the view to the administrator.

Because the cited Schaeck reference does not teach all of the essential elements of claim 15 of the present invention, the Examiner has not established a prima facie case of anticipation of claim 15. The Appellant urges the Board to overturn the rejection of claim 15 based on this reference.

<div align="center">v.     Claim 16</div>

Claim 16 includes identifying the totality of applications accessible by the user by examining an authentication credential container of the user, generating a list of the totality of applications accessible by the user, and displaying the list to the administrator.

The Examiner claims that there is no disclosure in the specification to display a totality of applications accessible and that this is new matter. However, in one embodiment of the present invention, the Access Agent uploads credentials of *all applications that the user uses* from the user's SOCI to the IMS to ensure that the IMS includes the latest user authentication data. Then the identifier module of the IMS identifies applications that user accesses and the view generator module of the IMS organizes the uploaded information and presents information *about each application* to an administrator of user's system upon request. [Specification 19:16-21] Thus, the display of a totality of applications accessible by the user is not new matter.

As discussed above, the teaching of Schaeck fails to show at least three of the following presently claimed elements: 1) identifying the totality of applications accessible by the user by examining an authentication credential container of the user, 2) generating a list of the totality of applications accessible by the user, and 3) displaying the list to the administrator. Because the cited Schaeck reference does not teach all of the essential

elements of the present invention, Appellant urges the Board to overturn the rejection of independent claims 16 based on this reference

### vi.    Claim 17

Claim 17 includes identifying the totality of applications accessible by the user and any user names and passwords used in connection with the totality of applications by examining an authentication credential container of the user, generating a list of the totality of applications accessible by the user together with any user names and passwords used in connection with the totality of applications, and displaying the list to the administrator.

The Examiner claims that there is no disclosure in the specification to display a totality of applications accessible and that this is new matter.    However, in one embodiment of the present invention, the Access Agent uploads credentials of *all applications that the user uses* from the user's SOCI to the IMS to ensure that the IMS includes the latest user authentication data.    Then the identifier module of the IMS identifies applications that user accesses and the view generator module of the IMS organizes the uploaded information and presents information *about each application* to an administrator of user's system upon request.  [Specification 19:16-21]  Thus, the display of a totality of applications accessible by the user is not new matter.

As discussed above, the teaching of Schaeck fails to show at least three of the following presently claimed elements: 1) identifying the totality of applications accessible by the user and any user names and passwords used in connection with the totality of applications by examining an authentication credential container of the user, 2) generating a list of the totality of applications accessible by the user, and 3) displaying the list to the administrator.

Further, Schaeck fails to teach that together with generating a list of the totality of applications accessible by the user, user names and passwords used in connection with the totality of applications is also generated.  The Examiner fails to point to anything in Schaeck as corresponding to this feature.

Because the cited Schaeck reference does not teach all of the essential elements of the present invention, Appellant urges the Board to overturn the rejection of independent claims 17 based on this reference

## C.    Legal Standards for Obviousness

Claims 2, 4, 5, 7-10, 12, 14, and 18-20 on appeal stand rejected as obvious under 35 U.S.C. § 103(a).  35 U.S.C. § 103(a) provides:

(a)    A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

To properly reject claims as obvious, "the examiner bears the initial burden of presenting a *prima facie* case of obviousness." *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d (BNA) 1955, 1956 (Fed. Cir. 1993).  To present a *prima facie* case of obviousness, the Examiner must show that "there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007).  Relevant considerations may include "interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art." *Id.*  The Examiner's analysis "should be made explicit." *Id.*  "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal standard of obviousness." *Id.* (citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Under these standards, Appellant's invention would not have been obvious.  The Examiner has not identified references that disclose or suggest all the elements of the pending claims.  Furthermore, the Examiner has not identified an apparent reason to

combine the references in the manner recited in each of Appellant's claims. Therefore, the rejection of the claims should be reversed.

1. <u>The Rejection of Claims 2, 4, 5, 7-10, 12, 14, and 18-20 under 35 U.S.C. §103(a) over Schaeck in view of Delany is Improper</u>

   a. <u>The Examiner has failed to show how the combination of Schaeck and Delany teaches or suggests all of the recited features of claims 2, 4, 5, 7-10, 12, 14, and 18-20 and has thereby failed to establish a *prima facie* case of obviousness</u>

   i. Claims 2 and 12

As discussed above with respect to independent claims 1 and 11 which claims 2 and 12 are dependent upon, respectively, the cited Schaeck reference does not teach identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user, or displaying the view to the administrator. The cited Delany reference also does not teach identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user, or displaying the view to the administrator. Thus, neither Schaeck nor Delany nor any combination thereof teaches identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user, or displaying the view to the administrator. The Examiner has not presented a *prima facie* case of obviousness, and claims 2 and 12 should be allowed.

   ii. Claims 4 and 14

As discussed above with respect to independent claims 1 and 11 which claims 4 and 14 are dependent upon, respectively, the cited Schaeck reference does not teach identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user or displaying the view to the administrator.

Further, claims 4 and 14 include the limitation "creating a user account for a new application to be accessible by the user *utilizing the generated view.*" As shown above, Schaeck fails to teach generating a view of the totality of applications accessible by the user and thus cannot be said to create a user account for a new application to be accessible by the user utilizing the generated view. Moreover, the Examiner did not point to anything in Delany as corresponding to utilizing the generated view. Thus, neither Schaeck nor Delany nor any combination thereof teaches creating a user account for a new application to be accessible by the user *utilizing the generated view.* The Examiner has not presented a *prima facie* case of obviousness. Thus, claims 4 and 14 should be allowed.

### iii.     Claims 5 and 7-9

As discussed above with respect to independent claims 1 and 4, which claims 5 and 7-9 are dependent upon, the cited Schaeck reference does not teach identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user or displaying the view to the administrator, or creating a user account for a new application to be accessible by the user utilizing the generated view. The cited Delany reference also does not teach these elements. Thus, neither Schaeck nor Delany nor any combination thereof teaches identifying the totality of applications accessible by the user by examining authentication credential container of the user, generating a view of the totality of applications accessible by the user, displaying the view to the administrator, or creating a user account for a new application to be accessible by the user utilizing the generated view. The Examiner has not presented a *prima facie* case of obviousness. Thus, claims 5 and 7-9 should be allowed.

### iv.     Claim 10

As discussed above with respect to independent claim 1 which claim 10 is dependent upon, the cited Schaeck reference does not teach identifying the totality of applications accessible by the user by examining authentication credential container of the

user, generating a view of the totality of applications accessible by the user or displaying the view to the administrator. The cited Delany reference also does not teach these elements. Thus, neither Schaeck nor Delany nor any combination thereof teaches generating a view of the totality of applications accessible by the user or displaying the view to the administrator. The Examiner has not presented a *prima facie* case of obviousness. Thus, claim 10 should be allowed.

### v.    Claim 18

The Examiner claims that there is no disclosure in the specification for the following elements in the directory: 1) a list of keys employed by the user also detailing the type and serial number of each key, 2) a list of all certificate-enabled applications accessible by the user also specifying a user name of the user and a last login attempt of the user, 3) a list of all enterprise applications accessible by the user also specifying a user name of the user and a last login attempt of the user, and 4) a list of all personal application accessible by the user also specifying a number of accounts connected to each personal application. However, all of these elements are shown in FIG. 7 which illustrates a consolidated directory view as presented to the administrator. [Specification, FIG. 7 and para. 56, lines 11-13] Thus, the listed elements of the directory are not new matter. The Examiner fails to point to anything in Schaeck or Delany as corresponding to these features.

Further, as discussed above, the teaching of Schaeck fails to show at least three of the following presently claimed elements: 1) identifying the totality of applications accessible by the user by examining authentication credential container of the user, 2) generating a directory of the totality of applications accessible by the user, and 3) displaying the directory to the administrator. Because neither Schaeck nor Delany nor any combination thereof teaches all of the essential elements of the present invention, Appellant urges the Board to overturn the rejection of independent claims 18 based on this reference.

### vi.    Claim 19

Claim 19 is dependent upon claim 18. As discussed above, the cited Schaeck reference does not teach all of the essential elements of claims 18. Thus, Schaeck also does not teach all of the essential elements of claim 19.

Further, as shown above, Schaeck fails to teach generating a directory of the totality of applications accessible by the user and thus cannot be said to teach displaying the directory to the administrator wherein the directory includes a specification of a password for each certificate-enabled application, each enterprise application, and each personal application.

However, even if Schaeck taught generation of a directory of the totality of applications accessible by the user, Schaeck does not teach that the directory is displayed to the administrator wherein the directory includes a specification of a password for each certificate-enabled application, each enterprise application, and each personal application, as the Examiner believes. Schaeck teaches that user passwords are provided to the sub-services of an aggregated service and are encrypted for storing securely. However, Schaeck in no way teaches that the role-specific view of the system administrator includes a listing of passwords of other users of the system.

Because neither Schaeck nor Delany nor any combination thereof teaches all of the essential elements of the present invention, Appellant urges the Board to overturn the rejection of independent claims 19 based on this reference.

<center>vii.    Claim 20</center>

Claim 20 is dependent upon claim 18. As discussed above, the cited Schaeck reference does not teach all of the essential elements of claims 18. Thus, Schaeck also does not teach all of the essential elements of claim 20.

Because neither Schaeck nor Delany nor any combination thereof teaches all of the essential elements of the present invention, Appellant urges the Board to overturn the rejection of independent claims 20 based on this reference.

b. The Examiner has failed to show that there is a rational apparent reason to combine Schaeck and Delany and has thereby failed to establish a prima facie case of obviousness

The Examiner has not articulated a rational apparent reason to combine Schaeck and Delany to arrive at any of Appellant's claims. In determining whether there is an apparent reason to combine cited references, the Examiner's analysis must be explicit and "cannot be sustained by mere conclusory statements." *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007) (citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). The Examiner must articulate "reasoning with some rational underpinning to support the legal standard of obviousness." *Id.* The Examiner characterized Delany's discussion at paragraph 14 as an apparent reason to combine Schaeck with Delany. In particular, the Examiner states that one skilled in the art would have reason to combine Schaeck with Delany "in order to, within a consolidated view or a single source, enable the addition and removal of directory entry attributes for an existing user or group." (Final Office Action, April 6, 2007, p. 10) However, this is simply a recitation of one of the purposes behind Delany's invention, which is directed to a system that allows for the removal and addition of attributes to an existing group or other type of entry. This is not a reasoned analysis of why one skilled in the art would have reason to combine the cited references, or even to alter Delany in any respect. The Examiner has not satisfied the burden of articulating a rational apparent reason to combine the cited art to arrive at any of Appellant's claims. Accordingly, the pending claims were improperly rejected under 35 U.S.C. § 103(a).

In view of the foregoing remarks, Appellant submits that all of the pending claims are in condition for allowance and patentably define over the prior art, and urge the Board to overturn the Examiner's rejections.

Dated: <u>October 23, 2007</u>                  Respectfully submitted,

By _____

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## CLAIMS APPENDIX

### Claims Involved in the Appeal of Application Serial No. 10/617,607.

1.    A method for providing a system administrator with a view of a totality of applications accessible by a user, comprising:

identifying the totality of applications accessible by the user by examining authentication credential container of the user;

generating a view of the totality of applications accessible by the user; and

displaying the view to the administrator.

2.    The method of claim 1 wherein the view is a consolidated directory of the totality of the applications.

3.    The method of claim 1 further comprising removing access to an application from the totality of the applications by utilizing the view of the totality of the applications accessible by the user.

4.    The method of claim 1 further comprising:

creating a user account for a new application to be accessible by the user utilizing the generated view; and

injecting authentication information of the user account into the authentication credential container of the user.

5.    The method of claim 4 wherein the authentication credential container is stored at a server.

6.    The method of claim 3 wherein the removing is performed automatically.

7. The method of claim 4 wherein the creating the user account is performed automatically.

8. The method of claim 4 wherein the creating the user account is performed manually by an administrator.

9. The method of claim 4 wherein the authentication information is injected into a hardware device of the user.

10. The method of claim 1 further comprising removing individual user directories for each application of the totality of the applications accessible by the user.

11. An apparatus for providing a system administrator with a view of a totality of applications accessible by a user, comprising:

an identifier module to identify the totality of applications accessible by the user by examining authentication credential container of the user;

a view generator to generate a view of the totality of applications accessible by the user; and

a view displayer to display the view of the totality of applications accessible by the user to the administrator.

12. The apparatus of claim 11 wherein the view is a consolidated directory of the totality of the applications.

13. The apparatus of claim 11 further comprising an interface to assist in removing access to an application from the totality of the applications by utilizing the view of the totality of the applications accessible by the user.

14.　The apparatus of claim 11 further comprising an interface to assist in creating a user account for a new application to be accessible by the user utilizing the generated view and injecting authentication information of the user account into the authentication credential container of the user.

15.　An apparatus for providing a system administrator with a view of a totality of applications accessible by a user, comprising:

means for identifying the totality of applications accessible by the user by examining authentication credential container of the user;

means for generating a view of the totality of applications accessible by the user; and

means for displaying the view of the totality of applications accessible by the user to the administrator.

16.　A method for providing a system administrator with a list of a totality of applications accessible by a user, comprising:

identifying the totality of applications accessible by the user by examining an authentication credential container of the user;

generating a list of the totality of applications accessible by the user; and

displaying the list to the administrator.

17.　A method for providing a system administrator with a list of a totality of applications accessible by a user together with any user names and passwords used in connection with those applications, comprising:

identifying the totality of applications accessible by the user and any user names and passwords used in connection with the totality of applications by examining an authentication credential container of the user;

generating a list of the totality of applications accessible by the user together with any user names and passwords used in connection with the totality of applications; and

displaying the list to the administrator.

18.    A method for providing a system administrator with a consolidated directory of a totality of applications accessible by a user, the method comprising:

identifying the totality of applications accessible by the user by examining authentication credential container of the user;

generating a directory of the totality of applications accessible by the user; and

displaying the directory to the administrator;

the directory comprising:

a name of the user;

a list of keys employed by the user also detailing the type and serial number of each key;

a profile of the user detailing a role of the user, a name of the user, an email address of the user, a department of the user, an employee ID of the user, and any additional attributes of the user that have been specified;

a means of updating and resetting the profile;

a list of all certificate-enabled applications accessible by the user also specifying a user name of the user and a last login attempt of the user;

a means of deleting the user name of the user;

a list of all enterprise applications accessible by the user also specifying a user name of the user and a last login attempt of the user; and

a list of all personal application accessible by the user also specifying a number of accounts connected to each personal application;

19.    The consolidated directory of claim 18, further comprising:

a specification of a password for each certificate-enabled application, each enterprise application, and each personal application.

20.    The consolidated directory of claim 18, further comprising:

means for a system administrator to add one or more applications to the lists of the certificate-enabled applications, the enterprise applications, or the personal applications of the user; and

means for a system administrator to delete one or more applications from the lists of the certificate-enabled applications, the enterprise applications, or the personal applications.

# EVIDENCE APPENDIX

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Examiner is being submitted.

## RELATED PROCEEDINGS APPENDIX

There are no other appeals, interferences, or judicial proceedings which will have a bearing on the Board's decision in this appeal.